

*Commonwealth of Massachusetts*  
*Alcoholic Beverages Control Commission*  
*95 Fourth Street, Suite 3*  
*Chelsea, Massachusetts 02150-2358*

**Jean M. Lorizio, Esq.**  
*Chairman*

NOTICE OF SUSPENSION

March 30, 2022

**SHREE GANESHAY CORP. D/B/A GIMBEL'S LIQUORS**  
**1637 BEACON ST.**  
**BROOKLINE, MA 02445**  
**LICENSE#: 89096-PK-0148**  
**VIOLATION DATE: 2/3/2022**  
**HEARD: 3/29/2022**

After a hearing on March 29, 2022, the Commission finds Shree Ganeshay Corp. d/b/a Gimbel's Liquors violated M.G.L. Ch. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (1 Count). The Commission **suspends the license for a period of one (1) day to be served.**

**The suspension shall commence on Monday, May 16, 2022, and terminate on Monday, May 16, 2022.** The license will be delivered to the Local Licensing Board or its designee on Monday, May 16, 2022, at 9:00 A.M. It will be returned to the licensee on May 17, 2022.

You are advised that pursuant to the provisions of M.G.L. c.138 §23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

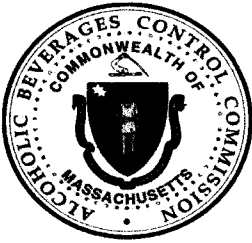
You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Jean M. Lorizio  
Chairman

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这份文件是重要的，应立即进行翻译.

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Kyle E. Gill, Esq., Associate General Counsel  
Alicia Cutter, Investigator  
Brian Gould, Investigator  
Gregory C. Demakis, Esq.  
Administration, File



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*Chairman*

**DECISION**

**SHREE GANESHAY CORP. D/B/A GIMBEL'S LIQUORS**  
**1637 BEACON ST.**  
**BROOKLINE, MA 02445**  
**LICENSE#: 89096-PK-0148**  
**VIOLATION DATE: 2/3/2022**  
**HEARD: 3/29/2022**

Shree Ganeshay Corp. d/b/a Gimbel's Liquors (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, March 29, 2022, regarding an alleged violation of M.G.L. Ch. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (1 Count). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Cutter's Report.

The following documents are in evidence:

1. Investigator Cutter's Report;
2. ABCC Application Summary Review, License Transfer Approved, 7/12/2017;
3. ABCC Decision, 1/10/2018;
4. ABCC Decision, 5/9/2018;
5. Licensee's Stipulation of Facts.

A. Eleven Photographs of Signage at Licensed Premises.

There is one (1) audio recording of this hearing.

**FINDINGS OF FACT**

1. On Thursday, February 3, 2021, at approximately 9:50 p.m., Investigators Gould and Cutter ("Investigators"), conducted an inspection of the business operation of Shree Ganeshay Corp. d/b/a Gimbel's Liquors to determine the manner in which its business was being conducted.

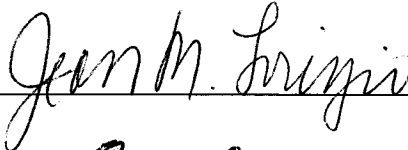
2. While conducting surveillance outside the licensed premises, Investigators observed a youthful appearing male individual exit the package store in possession of what appeared to be alcoholic beverages.
3. Investigators exited their vehicle, identified themselves and asked to see proof of legal age.
4. Underage #1, actual date of birth 10/17/2003 (age 18), was in possession of New Amsterdam Pink Whitney vodka and two sleeves of grape nips. Underage #1 presented Investigators with his Massachusetts Junior Operator Driver's license. Underage #1 stated that he was not asked for identification inside the licensed premises.
5. Investigators entered the licensed premises and identified Underage #1 to the clerk on duty and informed him that a report would be filed with the Chief Investigator for further review.
6. Tarunkumar Patel, Manager of Record, appeared at the Commission hearing along with Nipun Patel, one of the Licensee's employees. The Commission was informed the Licensee is now requiring all patrons produce identification and has placed signage throughout the store and on the front door regarding the new policy.
7. The Licensee has held a license under M.G.L. c. 138, § 15 since 2017 with two prior violations in 2018.

#### CONCLUSION

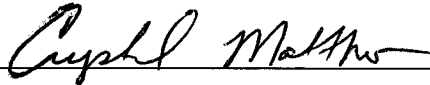
Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (1 Count). Therefore, the Commission **suspends the license for a period of 1 day to be served.**

#### ALCOHOLIC BEVERAGES CONTROL COMMISSION

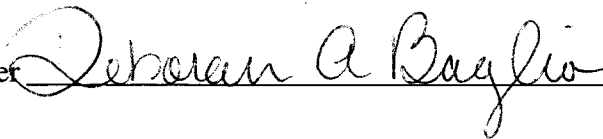
Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner



Dated: March 30, 2022

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty (30) days of receipt of this decision.

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